

Sec. 21. The Lieutenant Governor shall, by virtue of his office, be President of the Senate; have a right, when in committee of the whole, to join in debate, and to vote on all subjects; and whenever the Senate shall be equally divided, he shall give the casting vote.

Sec. 22. The Governor shall be elected, at stated times, receive for his services a compensation which shall neither be increased nor diminished, during the term for which he shall have been elected.

Sec. 23. The Lieutenant Governor, while he shall act as President of the Senate, shall receive, for his services, the same compensation as the Speaker of the House of Representatives; and any person, acting as Governor, shall receive the compensation attached to the office of Governor.

Sec. 24. Neither the Governor nor Lieutenant Governor shall be eligible for re-election, during the term for which he shall have been elected.

ARTICLE VI. ADMINISTRATIVE.

Sec. 1. There shall be elected, by the State, Secretary, an Auditor, and a Treasurer of State, who shall, severally, hold their offices, for two years. They shall perform such duties as may be enjoined by law, and shall be eligible to either of said offices, more than four years in any period of six years.

Sec. 2. There shall be elected, in each county by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner, and Surveyor. The Clerk, Auditor, and Recorder, shall continue in office four years; and on person shall be eligible to the office of Clerk, Auditor, or Recorder, more than eight years in any period of twelve years. The Treasurer, Sheriff, Coroner, and Surveyor, shall continue in office two years; and no person shall be eligible to the office of Treasurer or Sheriff, more than four years in any period of six years.

Sec. 3. Such other county and township officers as may be necessary, shall be elected, or appointed, in such manner as may be prescribed by law.

Sec. 4. No person shall be elected, or appointed, as a county officer, who shall not have been an inhabitant thereof, during one year next preceding his appointment; and the county shall be so organized; but if the county shall not have been so long organized, then within the limits of the county or counties, out of which the same shall have been taken.

Sec. 5. The Governor, and the Secretary, Auditor, and Treasurer of State, shall, severally, reside and keep the public records, books, and papers, in any manner relating to their respective offices, at the seat of government.

Sec. 6. All county, township, and town officers shall reside within their respective counties, townships, or towns, and shall perform such duties as may be directed by law.

Sec. 7. All State officers shall, for crime, incapacity, or negligence, be liable to be removed from office, either by impeachment by the House of Representatives, or by a joint resolution of the General Assembly; two thirds of the members elected to each branch voting, in either case, therefor.

Sec. 8. All State, county, township, and town officers shall be impeached, or removed from office, in such manner as may be prescribed by law.

Sec. 9. Vacancies in county, township, and town offices shall be filled in such manner as may be prescribed by law.

Sec. 10. The General Assembly may confer upon the several counties, townships, or towns, the several civil, powers of a local, administrative character.

ARTICLE VII. JUDICIAL.

SECTION 1. The judicial power of the State shall be vested in a Supreme Court, in Circuit Courts, and in such inferior Courts, as the General Assembly may establish.

Sec. 2. The Supreme Court shall consist of not less than three, nor more than five Justices; a majority of whom shall form a quorum. They shall hold their offices for six years, if they so long behave well.

Sec. 3. The State shall be divided into as many districts as there are Justices of the Supreme Court; and such districts shall be formed of contiguous territory, as nearly equal in population, as, without dividing a county, the same can be made. One of said Justices shall be elected by the electors of the State at large.

Sec. 4. The Supreme Court shall have jurisdiction, co-extensive with the limits of the State, in appeals and writs of error, under such regulations and rules, as may be prescribed by law. It shall also have such original jurisdiction as the General Assembly may confer.

Sec. 5. The Supreme Court shall, upon the decision of every case, give a statement in writing of each question arising in the record of such case, and the decision of the Court thereon.

Sec. 6. The General Assembly shall provide, by law, for the speedy publication of the decisions of the Supreme Court, made under this Constitution; but no Judge shall be allowed to report such decisions, or to be paid for so doing.

Sec. 7. There shall be elected by the voters of the State, a Clerk of Supreme Court, who shall hold his office four years, and whose duties shall be prescribed by law.

Sec. 8. The Circuit Courts shall each consist of one Judge, and shall have such civil and criminal jurisdiction as may be prescribed by law.

Sec. 9. The State shall, from time to time, be divided into judicial Circuits; and a Judge for each Circuit, shall be elected by the voters thereof. He shall hold his office for six years, if he so long behave well.

Sec. 10. The General Assembly may provide, by law, that the Judge of one Circuit may hold the Courts of another Circuit, in cases of necessity; and, in such cases, the temporary inability of any Judge, from sickness or other cause, hold the Courts in his Circuit provision may be made by law for holding such Courts.

Sec. 11. There shall be elected, in each judicial Circuit, by the voters thereof, a Prosecuting Attorney, who shall hold his office for two years.

Sec. 12. Any Judge or Prosecuting Attorney, who shall have been convicted of corruption or other high crime, may, on information in the name of the State, be removed from office by the Supreme Court, or in such other manner as may be prescribed by law.

Sec. 13. The Judges of the Supreme Court, and Circuit Courts, shall, at stated times, receive a compensation, which shall not be diminished during their continuance in office.

Sec. 14. A competent number of Justices of the Peace shall be elected, by the voters in each township the several counties. They shall be prescribed by law.

Sec. 15. All judicial officers shall be conservators of the peace in their respective districts.

Sec. 16. No person elected to any judicial office, shall, during the term for which he shall have been elected, be eligible to any office of trust or profit, under the State other than a judicial office.

Sec. 17. The General Assembly may modify, or abolish, the Grand Jury system.

Sec. 18. All criminal prosecutions shall be carried on, in the name, and by the authority, of the State; and the style of all process shall be "The State of Indiana."

Sec. 19. Tribunals of conciliation may be established, with such powers and duties as shall be prescribed by law; or the powers and duties of the same may be conferred upon

any other Courts of justice; but such tribunals or other Courts when sitting as such, shall have no power to render judgment to be obligatory on the parties, unless they voluntarily submit their matters of difference, and agree to abide the judgment of such tribunal or Court.

Sec. 20. The General Assembly, at its first session after the adoption of this Constitution, shall provide for the appointment of three Commissioners, whose duty it shall be to revise, simplify, and abridge, the rules, practice, pleadings, and forms of the Courts of justice, and they shall provide for abolishing the distinct forms of action at law, now in use; and that justice shall be administered in a uniform mode of pleading, without distinction between law and equity. And the General Assembly, shall make it the duty of said Commissioners to reduce into a systematic code, the general statute law of the State, and said Commissioners shall report the result of their labors to the General Assembly, with such recommendations and suggestions, as they may deem necessary or proper. Provisions shall be made, by law, for filling vacancies regulating the tenure of office, and the compensation of said Commissioners.

Sec. 21. Every person of good moral character, being a voter, shall be entitled to admission to practice law in all Courts of justice.

ARTICLE VIII. EDUCATION.

SECTION 1. Knowledge and learning, generally diffused throughout a community, being essential to the preservation of a free government; it shall be the duty of the General Assembly, to encourage, by all suitable means, moral, intellectual, scientific, and agricultural education.

Sec. 2. The common school fund shall consist of Congressional Township fund, and the land belonging thereto.

The Bank Tax fund, and the fund arising from the one hundred and fourteenth section of the charter of the State Bank of Indiana; and the fund to be received from the sale of county seminaries and the moneys and property heretofore held for such seminaries; from the fines assessed for breaches of the penal laws of the state; and from all forfeitures which may accrue.

All lands and other estate which shall escheat to the state, for want of heirs or kindred entitled to the inheritance.

All lands that have been, or may hereafter be, granted to this state, where no special purpose is expressed in the grant, and the proceeds of the sale thereof; the net proceeds of the sales of the swamp lands, granted to the State of Indiana, by the act of Congress of 28th September, 1850, after deducting the expense of selecting and draining the same; Taxes on the property of corporations, that may be assessed by the general Assembly for common school purposes.

Sec. 3. The net proceeds of the common school fund shall remain a perpetual fund, which may be increased, but shall never be diminished; and the income thereof shall be invariably appropriated, to the support of common school and to no other purpose whatever.

Sec. 4. The general assembly shall invest, in some safe and profitable manner, all such portions of the common school fund, as have not heretofore been entrusted to the several counties, of the interest thereof.

Sec. 5. If any county shall fail to demand its proportion of such interest, for common school purposes, the same shall be re-invested, for the benefit of such county.

Sec. 6. The several counties shall be held liable for the preservation of so much of the said funds, as may be entrusted to them, and the payment of the annual interest thereon.

Sec. 7. All trust funds, held by the state remain in the hands of the State, and shall be applied to the purposes, for which the trust was created.

Sec. 8. The General Assembly shall provide for the election, by the voters of the state, of a state superintendent of Public Instruction; who shall hold his office for two years, and whose salary and compensation shall be prescribed by law.

ARTICLE IX. STATE INSTITUTIONS.

SECTION 1. It shall be the duty of the General Assembly, to provide, by law, for the support of institutions for the education of the Deaf and Dumb, and of the blind; and also, for the support of the insane.

Sec. 2. The General Assembly shall provide for the support of the reformatory and reform school for juvenile offenders.

Sec. 3. The General Assembly shall have power to provide for, as an asylum for those persons who, by reason of age, infirmity, or other misfortune, may have a claim upon the sympathies and aid of society.

ARTICLE X. FINANCE.

SECTION 1. The General Assembly shall provide, by law, for a uniform and equal rate of assessment on all taxation, and such regulations as shall secure a just valuation for taxation of all property, both real and personal, excepting only such for municipal, educational, literary, scientific, or charitable purposes, as may be specially exempted by law.

Sec. 2. All the revenues derived from the sale of any of the public works belonging to the State, and from the net annual income thereof, and any surplus that may be retained in the Treasury, derived from taxation for general purposes, shall be paid to the State, and shall be used for the purpose of paying the interest on the State debt, and for the redemption of the same, and for the payment of the principal of the same.

Sec. 3. No county shall subscribe for stock in any incorporated company, unless the same be paid for at the time of such subscription; nor shall any county loan its credit to any incorporated company, nor shall any county, on behalf of the State, assume the debt of any county, city, town, or township; nor of any corporation whatever.

ARTICLE XI. CORPORATION.

SECTION 1. The General Assembly shall not have power to establish or incorporate any bank or banking company, or moneyed institution, for the purpose of issuing bills of credit or bills payable to order or bearer, except under the conditions prescribed in this Constitution.

Sec. 2. No banks shall be established, otherwise than under a general banking law, except as provided in the fourth section of this article.

Sec. 3. If the General Assembly shall enact a general banking law, such law shall provide for the registry and counterfeiting by an officer of the State, of paper credit designed to be circulated as money; and the same shall be subject to the control of the proper officer or officers of the State.

Sec. 4. The General Assembly may also charter a Bank with Branches, without collateral security, as required in the preceding section.

ARTICLE XII. MILITIA.

SECTION 1. The militia shall consist of all able-bodied white male persons, between the ages of eighteen and forty-five years, except such persons as may be exempted by the laws of the United States, or of this state; and shall be organized, officered, armed, equipped, and trained, in such manner as may be provided by law.

Sec. 2. The Governor shall appoint the Adjutant, Quartermaster, and Commissary Generals.

Sec. 3. All militia officers shall be commissioned by the Governor, and shall hold their offices for two years.

Sec. 4. The General Assembly shall, by law, determine the method of dividing the militia into divisions, brigades, regiments, battalions, and companies, and fix the rank of all staff officers.

Sec. 5. The militia may be divided into classes of sedentary and active militia, in such manner as shall be prescribed by law.

Sec. 6. No person, conscientiously scrupulous of bearing arms, shall be compelled to do militia duty; but such person, shall pay an equivalent for exemption; the amount to be prescribed by law.

ARTICLE XIII. NEGROES AND MULATTOS.

SECTION 1. No Negro or Mulatto shall come into, or settle in this state after the adoption of this Constitution.

Sec. 2. All contracts, made with any Negro or Mulatto coming into the state contrary to the provision of the foregoing section, shall be void; and all persons who shall employ, or otherwise encourage, such Negro or Mulatto to remain in the state, shall be fined in any sum not less than ten dollars, nor more than five hundred dollars.

Sec. 3. All fines which may be collected for a violation of the provisions of this article, or for the purpose of carrying the same into execution, shall be paid, apportioned, and applied to the colonization of such Negroes and Mulattos, and their descendants, as may be willing to emigrate.

Sec. 4. The General Assembly shall pass laws to carry out the provisions of this article.

ARTICLE XIV. BOUNDARIES.

SECTION 1. In order that the boundaries of the state may be known and established, it is hereby ordained and declared, that the State of Indiana is bounded, on the East, by the meridian line which separates the territory of the State of Ohio; on the South, by the Ohio river, from the mouth of the Great Miami river to the mouth of the Wabash river; on the West, by a line drawn along the middle of the Wabash river, from its mouth to a point where a due north line, drawn from the town of Vincennes, would intersect the north-western shore of said Wabash river; and, thence, by a due north line, until the same intersect an east and west line, drawn through a point ten miles north of the southern extreme of Lake Michigan; on the North, by said east and west line, until the same intersect the first mentioned meridian line, which forms the western boundary of the State of Ohio.

Sec. 2. The State of Indiana shall possess jurisdiction and sovereignty co-extensive with the boundaries declared in the preceding section; and shall have concurrent jurisdiction in civil and criminal cases with the State of Kentucky on the Ohio river, and with the State of Illinois on the Wabash river, so far as said rivers form the common boundary between this state and said states respectively.

ARTICLE XV. MISCELLANEOUS.

SECTION 1. All officers, whose appointment is not otherwise provided for in this Constitution, shall be chosen in such manner as may be prescribed by law.

Sec. 2. When the duration of any office is not provided for by this Constitution, it may be declared by law; and, if not so declared, such office shall be held, during the pleasure of the authority making the appointment. But the General Assembly shall not create any office, the tenure of which shall be longer than four years.

Sec. 3. Whenever it is provided in this Constitution, or in any law which may be hereafter passed, that any officer, other than a member of the General Assembly, shall hold his office for any given term, the same shall be construed to mean, that such officer shall hold his office for such term, and until his successor shall have been elected and qualified.

Sec. 4. Every person elected or appointed to any office under this Constitution, shall, before entering on the duties thereof, take an oath or affirmation, to support the Constitution of this State, and of the United States, and also an oath of office.

Sec. 5. There shall be a seal of state, kept by the Governor for official purposes, which shall be called the seal of the State of Indiana.

Sec. 6. All commissions shall issue in the name of the state, shall be signed by the Governor, sealed with the state seal, and attested by the secretary of state.

Sec. 7. No County shall be reduced to an area less than four hundred square miles; nor shall any County, under that area, be further reduced.

Sec. 8. No lottery shall be authorized; nor shall the sale of lottery tickets be allowed.

Sec. 9. The following grounds owned by the state in Indianapolis, namely: the state house square, the Governor's Circle, and so much of out-lot numbered one hundred and forty-seven, as lies north of the arm of the Central Canal, shall not be sold or leased.

Sec. 10. It shall be the duty of the General Assembly to provide for the permanent enclosure and preservation of the Tippecanoe Battin Ground.

ARTICLE XVI. AMENDMENTS.

SECTION 1. Any amendment or amendment to this Constitution, may be proposed in either branch of the General Assembly; and, if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall, with the yeas and nays thereon, be entered on their journals, and referred to the General Assembly to be chosen at the next general election, and if, in the General Assembly so next chosen, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the General Assembly to submit such amendment or amendments to the electors of the state, and if a majority of said electors shall ratify the same, such amendment or amendments shall become a part of this Constitution.

Sec. 2. If two or more amendments shall be submitted at the same time, they shall be submitted, in such manner, that the electors shall vote for or against each of such amendments separately; and, while an amendment or amendments which shall have been agreed upon by one General Assembly, shall be submitted to the electors at a succeeding General Assembly, or of the electors, no additional amendment or amendments shall be proposed.

SCHEDULE.

This Constitution, if adopted, shall take effect on the first day of November, in the year one thousand eight hundred and fifty-one, and shall supersede the Constitution adopted in the year one thousand eight hundred and sixteen. That no inconvenience may arise from the change in the government, it is hereby ordained and declared, that the following provisions shall be in full force, until they shall expire or be repealed.

First. All laws now in force, and not inconsistent with this Constitution, shall remain in full force, until they shall expire or be repealed.

Second. All indictments, prosecutions, suits, pleas, complaints, and other proceedings, pending in the Courts of justice, shall be prosecuted to final judgment and execution, and all appeals, writs of error, certiorari, and injunctions shall be carried on, in the several Courts, in the same manner as is now provided by law.

Third. All fines, penalties, and forfeitures, due or accruing to the state, or to any county therein, shall inure to the state, or to such county in the manner prescribed by law. All bonds executed to the state, or to any officer, in his official capacity, shall remain in full force and inure to the use of these conformed.

Fourth. All acts of incorporation for municipal purposes, shall continue in force under this Constitution until such time as the General Assembly shall, in its discretion, modify or repeal the same.

Fifth. The Governor, at the expiration of the present official term, shall continue to exercise the duties of his office, until his successor shall have been sworn into office.

Sixth. There shall be a session of the General Assembly, commencing on the first Monday of December, in the year one thousand eight hundred and fifty-one.

Seventh. Senators now in office and holding office at the expiration of this Constitution, shall continue in office until the first general election under this Constitution.

Eighth. The first general election under this Constitution, shall be held on the year one thousand eight hundred and fifty-two.

Ninth. The first election for Governor, Lieutenant Governor, Judges of the Supreme Court and Circuit Courts, Clerk of the Supreme Court, and Prosecutors, Attorneys, Secretary, Auditor, and Treasurer of State, and State Superintendant of Public Instruction, under this Constitution, shall be held at the general election in the year one thousand eight hundred and fifty-two; and such of said officers as may be in office, when this Constitution shall go into effect, shall continue in their respective offices, until their successors shall have been elected and qualified.

Tenth. Every person elected by a popular vote, and now in any office, which is continued by this Constitution, and every person who shall be so elected to any such office, before the taking effect of this Constitution, (except such as are elected to the kindred offices, which shall continue in office, until the term for which such person has been, or may be elected, shall expire: Provided, That no such person shall continue in office, after the taking effect of this Constitution, for a longer period than the term of such office in this Constitution.) shall continue in office, until the term for which such person has been, or may be elected, shall expire: Provided, That no such person shall continue in office, after the taking effect of this Constitution, for a longer period than the term of such office in this Constitution.) shall continue in office, until the term for which such person has been, or may be elected, shall expire: Provided, That no such person shall continue in office, after 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